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Senate of Pennsylvania

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August 1, 2019

Chairwoman Gladys Brown Dutrieuille
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, Third Floor
Harrisburg, PA 17120

Re: Public Comment on Proposed Rulemaking Regarding Hazardous Liquid Public Utility Safety Standards

Dear Chairwoman Brown Dutrieuille,

I would first like to thank you and the Commission for acting on my May 2nd letter, requesting that the PUC begin the public process of developing new rules for hazardous liquid pipelines as soon as possible. This comment period is vital, allowing the public to voice their concerns and having their input considered will go a long way towards restoring the faith communities impacted by pipeline construction have lost.

The safety of our families and communities is the single most important consideration, and it is the responsibility of the PUC to ensure that the rules to be adopted reflect that mandate. I have sponsored 13 pieces of legislation and have also joined a citizen complaint, Meghan Flynn, et al. v. Sunoco Pipeline, L.P., in order for pipeline operators to be held to the highest standards of safety. My submission today reflects both of those avenues by incorporating my legislative goals as well as the requested relief from the formal complaint.

Enclosed you will find my comments on rules for hazardous liquid pipelines. Thank you for considering my suggestions as well as the comments of many other citizens concerned about pipeline safety in our communities. Please do not hesitate to contact me if I can provide you with any additional information.

Sincerely,

A handwritten signature in black ink that reads "Thomas H. Killion".

TOM KILLION
SENATOR, 9th DISTRICT
TK/jm

Senator Tom Killion

Submission to the Public Utility Commission

Hazardous Liquid Public Utility Safety Standards

-Advanced Notice of Proposed Rulemaking

August 1, 2019

Pipeline Safety near Schools

Pipeline companies operating pipelines near schools have an obligation to coordinate with schools to ensure their safety in the event of a leak. I encourage the PUC to adopt a rule requiring that operators of pipelines within 1,000 feet of schools provide non-sensitive information to school officials- including how to respond to a leak or product release. Moreover, this rule should mandate that operators of pipelines within 1,000 feet of schools coordinate and communicate quarterly with school administrators regarding safety measures, emergency response plans, and best practices, among other things. The safety of our children's schools is paramount; the PUC rule must reflect and enforce that.

Public Notification

Due to the importance of keeping the public aware of developments in the pipeline installation process, I encourage the PUC to adopt a rule mandating that public utilities inform residents and municipalities within a 1,000 foot radius of new pipeline construction at least 5 days prior to the beginning of construction.

Automatic Shut-off:

The potential risks posed by high pressure NGL pipelines in "high consequence areas" near residential sections, schools, churches, and hospitals necessitate extra measures to ensure the safety of our families and communities. Automatic valves or remote valves, as opposed to the manual valves currently in use, would allow operators to shut off flow quickly in the event of a leak, thereby reducing the risk to our families and communities. Therefore, I encourage the Pennsylvania Utility Commission (PUC) to adopt a rule requiring pipeline operators employ automatic or remote shutoff valves around high consequence areas.

Early Warning and Advanced Leak Detection

The PUC should develop a framework requiring public utility facilities transporting natural gas or natural gas liquids to employ advanced leak detection hardware in critical operational locations to ensure public safety and additionally utilizing a mass early warning notification system to alert residents to an incident. The PUC taking a major role in requiring this technology be employed would catalyze leadership on the issue and reduce the risks these pipelines pose to communities. An important component of this initiative would be clarifying how the early warning would reach residents within the potentially impacted area.

Emergency Response Plan Disclosure

A policy should be enforced that would require pipeline operators provide current Emergency Response Plans to the Commission which could then be responsibly and confidentially shared with county emergency services for the purpose of coordinating a response to a pipeline incident. This change is critical in ensuring that there is no bureaucratic barrier between county emergency services and the information they need to ensure our first responders are following through on effective and well informed plans to keep our communities in Pennsylvania safe.

Senator Tom Killion

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Meeting with County Emergency Response Coordinators

In the event of a pipeline incident, the ability for our emergency responders to react in an expedient and informed manner is crucial to minimize loss of life and property damage. The PUC should enact a policy that will mandate public utility facilities transporting natural gas or natural gas liquids meet with the county emergency coordinator entrusted to respond in the event of natural gas release to ensure that the response would be efficient and effective. This would also provide the opportunity to review evacuation plans, current best practices and ensure that counties possess the required equipment needed to react to the threat of highly pressurized hazardous liquid pipelines. The PUC should establish protocols for pipeline operators to participate in funding the upkeep of any facilities or equipment that are critical in responding to pipeline incidents.

Public Education

The Commission should explore all possible avenues in order to require pipeline operators provide a County specific public education apparatus designed to inform and educate residents about responding to a pipeline incident. In the absence of having clear information about the nature and realities of a NGL pipeline, the public wrestles with insecurity about how to react should an emergency arise.

Siting Procedures

Protecting our families and communities is my top priority. For this reason, I encourage the PUC to adopt a new rule requiring public utilities acquire approval from the PUC regarding siting of new pipeline construction. This approval process should include considerations for environmental factors, such as wildlife habitats, geology, landscape, and others. This application should include a requirement that the pipeline operator conduct an aquifer study to be included with the application, as well as input from the Pennsylvania Department of Environment Protection (DEP). Finally, the approval process should include a public hearing in the county in which the proposed pipeline construction would take place.

Remaining Life Study

Pennsylvania currently has pipelines in operation from the 1930's, well before some of the technological advances and anti-corrosion measures that make pipelines relatively safer today were implemented. Pennsylvanians have the right to be reasonably assured that public utilities are maintained and operated beyond the most basic standards required, when considering pipeline safety the Commission should actively seek to require that after a certain threshold, legacy pipelines are subjected to a remaining life study to determine roughly how much operational life remains well before corrosion related incidents become imminent.